



Lamoine Board of Selectmen

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Minutes of October 21, 2010

Chair Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen William Brann, Richard Fennelly Jr., Gary McFarland, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Barry Norris and Enid Neleski. Selectmen Cynthia Donaldson had informed the board prior to the meeting that she would be unable to attend.

Agenda Review – One item was placed on the agenda addendum.

Public Hearing – Automobile Graveyard Renewals – The hearing opened at 7:01 PM. Stu reported that CEO Ford had inspected both of Pro Auto Center's automobile graveyards and that both were found to be in compliance with ordinances. Jo asked Mr. Norris if there were any changes. Mr. Norris said there were none. He said he's cleaned up old wheels and tires and a truck will haul those away soon. He said the metal has been recycled. William asked if the yards were expanding. Mr. Norris said they would be the same size. Jo explained the renewal process and said everything should be OK as long as the fluids are drained from the vehicles. The hearing closed at 7:03 PM.

Jo moved to renew both automobile graveyard permits for Pro Auto Center. Gary 2nd. **Vote in favor was 4-0; Selectmen signed the permits with the usual conditions.**

Public Hearing – General Assistance Ordinance Update – Jo opened the hearing at 7:05 PM. Stu explained that the updates are the new levels used to determine if and how people are eligible for assistance from the town. There were no other comments. The hearing closed at 7:06 PM.

Jo moved to approve the updates to the General Assistance Ordinance. Richard 2nd. **Vote in favor was 4-0.**

Public Hearing – Town Meeting Format Advisory Referendum – Jo opened the hearing at 7:08 PM. Enid Neleski asked if the question passes on November 2, 2010, would it eliminate town meeting. Jo said the vote is advisory, and the board still would retain the power to determine the format of the town meeting. Mrs. Neleski said the way she read the ballot, it was confusing. Richard said town meeting would not stop. He said there would still be a public gathering, but no votes would be taken. He said people would vote afterwards.

Mrs. Neleski asked if just selected articles would be voted upon by referendum or if all would be a referendum vote. Richard said the question says "all". Jo read the ballot question. She said it is an advisory, non-binding vote. She said the idea is to get feedback from the town. She said the Selectmen have heard concerns about both ways of holding town meeting. She said the Selectmen conducted a survey during the primary voting in June as a way to get people to think about the question. She said there are other options available.

Mrs. Neleski said while reading the question, she felt that if she voted yes, she would be against the open town meeting. A brief discussion about the public hearing process and voting process followed.

Mrs. Neleski said she doesn't know about the people who are not here, but if one votes yes, it's not binding; it just gives the Selectmen an idea of where people stand. Richard said there is a wide range of opinion on the issue. He said since the decision was made to put the question out to a secret ballot referendum, he's not heard much discussion about the matter. He said folks who are away for the winter don't get to vote on open town meeting matters. He said by a referendum vote, they could cast their ballots by absentee methods. Jo said the town meeting date could also be changed. She said she has a strong feeling about this issue, and she's not in favor of a change to referendum voting instead of the open town meeting. She said open town meeting is an old democratic tradition which allows people to listen and debate issues before making a decision.

Mrs. Neleski said she could see moving the open meeting date to a time when people are back for the summer. Richard said the board heard from people who don't like to go out at night – he said if the format changed, they could vote by absentee ballot.

Jo said the proposed meeting by referendum seems really cumbersome. She said Lamoine doesn't have as many warrant articles as some towns. She said there generally 30-to-40 articles to vote on, and without an open town meeting, there is no chance to amend the articles. Mrs. Neleski said the meeting was moved away from a Saturday to Wednesday night because people didn't want to give up their Saturdays.

Richard said one of the attractions of town meeting by referendum is that turnout would be higher, and the more voices, the better. Jo said as long as they are informed voices. A short discussion followed.

Jo said she didn't think turnout would improve that much with a 30-plus article warrant. She said she hasn't heard much about the issue lately. Gary said referendum voting has produced a higher turnout. Mrs. Neleski said town meeting is a long tradition, though it's old fashioned. She said there has to be some meeting to discuss the articles. Stu explained that would not be the town meeting, but a public hearing. Mrs. Neleski said there would be the same 80-people attending the public hearing. Richard said he suspects absentee voting would increase. A short discussion followed on absentee voting trends. Stu noted that the last presidential election was huge, and numbers for the upcoming Gubernatorial Election are also high, and the absentee ballots will be processed the day before the election.

Mrs. Neleski asked if the meeting would be called a public forum or a town meeting. Jo said it would be a public hearing. She said the town meeting is the people who vote. A short discussion followed about the term "town meeting".

William said there may be those who feel more comfortable raising an issue on an article if no vote immediately followed. Mrs. Neleski said it seemed like the goal was to get more people to vote. The hearing closed at 7:25 PM.

Minutes of October 7, 2010 – Richard said he didn't find any changes necessary. Jo moved to approve as written, Richard 2nd. **Vote in favor was 4-0.**

Expenditure Warrant 8 – Selectmen signed expenditure warrant 8 for \$207,151.60. Stu said the school bill for \$174,000 and the first snow plowing bill make up the big majority of the warrant.

Cash & Budget Report – Stu reported he fixed the formatting on the revenues. He noted that he e-mailed Verizon Wireless yesterday and they are still on track for turning the cell phone tower on during the 4th quarter of the year.

Hodgkins Trust – Stu reported he put a letter from Bar Harbor Bank & Trust in the materials tonight explaining the progress is being made on the change to lower the trust fund threshold to \$200,000 from \$350,000.

Returnables Applications – Jo moved to approve an application from the 8th Grade Class for the proceeds of the returnables. Richard 2nd. **Vote in favor was 4-0.** November will be the month for the 8th grade. Stu reported that was the last application received and encouraged other groups to apply. Richard asked whether a cemetery association would be eligible.

Joint Meeting with Planning Board – Stu reported that most of the Planning Board felt December 14, 2010 would be a good date and would attend. He asked if the meeting could take place without his presence. Jo said it could, but it would be helpful to have him. Stu noted it's in the middle of basketball season and a very busy evening.

Jo said it's a good chance to look at potential ordinance changes. She asked if it might also be a time to discuss potential new ordinances regulating things such as marijuana dispensaries and wind turbines. She said items like those should be looked at proactively. William asked if there are things the town ought to look at disallowing that would detract. There was a brief discussion about what to encourage and what to discourage.

RFP – Municipal Solid Waste Transport and Recycling – Stu said the draft RFP was in the Selectmen's packet. He said the major change from the current contract would be that all the recycling would be taken to Coastal Recycling and Lamoine would get the income from cardboard.

Richard asked if any input was sought from the transfer station manager. Stu said he could have him look it over.

Code Enforcement Request – Stu gave a quick synopsis of the Seibel case, ending with the Board of Appeals ordering removal of a deck that violates the Shoreland Zoning Ordinance by October 15. He said the Code Enforcement Officer went to the property on October 19th and observed the deck was still in place. He said the suggestion is that this be referred to the town attorney. There was no objection.

Next Meeting – The next meeting is scheduled for November 4, 2010. Jo noted she was not able to attend due to a work conflict.

Stu reported Town Clerk Jennifer Kovacs has been able to find enough ballot clerks for Election Night.

Stu reported he's not yet heard back from Rusty Boynton in regard to finalizing the settlement about out of town waste. Selectmen asked that this be placed on the next agenda.

The Budget Committee meeting on October 18th was briefly discussed.

There being no further business, the meeting adjourned at 7:44 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.